

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:)	
)	
JEFFERSON COUNTY, ALABAMA,)	Case No. 11-5736-TBB-9
a political subdivision of the State of)	
Alabama,)	Chapter 9 Proceeding
)	
Debtor.)	

**MOTION FOR ORDER
FIXING DATE FOR FILING LIST OF CREDITORS**

Jefferson County, Alabama, the debtor in the above referenced case (the “County”), moves the Court, pursuant to 11 U.S.C. § 924 and Rules 1007(a) and 1007(e) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), to fix a date for the filing the County’s list of creditors, as follows:

BACKGROUND

A. Procedural Posture.

1. On November 9, 2011 (the “Filing Date”), the County filed a voluntary petition for relief under Chapter 9 of Title 11 of the United States Code, 11 U.S.C. §§ 101-1532 (the “Bankruptcy Code”).

2. The County is a political subdivision of the State of Alabama.

3. No official committee of unsecured creditors has been appointed in the County’s Chapter 9 case.

B. County’s Background.

4. Contemporaneously herewith, the County filed its Memorandum in Support of Eligibility (the “Memorandum”). The Memorandum contains a thorough description of the

County, its debt structure and the events leading up to the commencement of the County's Chapter 9 case.

JURISDICTION AND NOTICE

5. The County files this motion (the "Motion") pursuant to 11 U.S.C. § 924 and Bankruptcy Rule 1007.

6. The Court has jurisdiction over the Motion pursuant to 28 U.S.C. § 1334(b). The Motion is a core proceeding under 28 U.S.C. § 157(b). Venue of the County's case and the Motion is proper before the Court under 28 U.S.C. §§ 1408 and 1409.

7. The County will serve a copy of this Motion on all parties on the Master Service List, as that term is defined in the Motion to Establish Notice, Service, and Case Management Procedures Pursuant to Sections 102(1)(A) and 105 of the Bankruptcy Code and Bankruptcy Rules 2002(m) and 9007 filed contemporaneously herewith by the County. The Motion shall be served by electronic mail or, where an electronic mail address is not known or available, by facsimile or, where a facsimile number is not known or available, by overnight delivery.

RELIEF REQUESTED

8. Section 924 of the Bankruptcy Code requires a Chapter 9 debtor to file a list of its creditors.

9. Bankruptcy Rule 1007(a) requires the debtor to file a list containing the name and address of each entity included or to be included on Schedules D, E, F, G and H as prescribed by the Official Forms.

10. Bankruptcy Rule 1007(e) provides that the County shall file the list required by Bankruptcy Rule 1007(a) "within such time as the Court shall fix."

11. Setting the date by which the County shall file its list of creditors will assist the County in the efficient administration of its bankruptcy case and the negotiation of, and ultimately, the confirmation of, the County's Chapter 9 plan of adjustment of debts. The County already has commenced efforts to prepare its list of creditors consistent with the requirements of Section 924 of the Bankruptcy Code and Bankruptcy Rule 1007. The County needs sufficient time to prepare and review its list of creditors in order to ensure that the list of creditors filed with the Court is as comprehensive and accurate as of the Filing Date as practicable. The County anticipates that a period of thirty (30) days will provide it with sufficient time to prepare, review, and file its list of creditors.

12. Accordingly, pursuant to Bankruptcy Rule 1007(e), the Court has cause to fix a date not less than thirty days (30) after the Filing Date as the date by which the County shall file its list of creditors in accordance with the Bankruptcy Rules.

13. The County files this Motion without prejudice to or waiver of its rights pursuant to Section 904 of the Bankruptcy Code, and nothing herein is intended as or shall be deemed to constitute the County's consent pursuant Section 904 of the Bankruptcy Code to this Court's interference with (a) any of the political or governmental powers of the County, (b) any of the property or revenues of the County, or (c) the County's use or enjoyment of any income-producing property.

WHEREFORE, PREMISES CONSIDERED, the County respectfully requests the Bankruptcy Court to enter an order in substantially in the form of the proposed order attached hereto as Exhibit A:

- A. Establishing the date not less than thirty (30) days after the Filing Date by which the County shall file its list of creditors pursuant to Section 924 of the Bankruptcy Code and Bankruptcy Rule 1007; and
- B. Granting such other, further or different relief as may be just and proper.

Respectfully submitted this the 9th day of November, 2011.

By: /s/ Chris Hawkins

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**ATTORNEYS FOR JEFFERSON COUNTY,
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CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2011, a copy of the foregoing and the exhibit thereto was served upon the parties identified on the attached service list by the means specified therein.

/s/ Chris Hawkins

OF COUNSEL

MASTER SERVICE LIST

VIA E-MAIL:

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VIA OVERNIGHT COURIER:

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